

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	CERTIFICATION OF A
)	SEXUALLY DANGEROUS PERSON
DARRIN MARANDA,)	
Register Number 11814-026,)	
)	
Respondent.)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits the attached Certification of a Sexually Dangerous Person pursuant to Title 18 U.S.C. § 4248(a).

Respectfully submitted, this 10th day of March, 2008.

George E. B. Holding
United States Attorney

BY: /s/ Michael Bredenberg
Michael Bredenberg
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Raleigh, NC 27601-1461
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N.C. Bar # 26068

CERTIFICATE OF SERVICE

This is to certify that I have this 10th day of March, 2008, served a copy of the foregoing upon the Respondent in this action by placing the documents in an envelope marked as stated below, and providing it to FCC Butner staff to deliver the envelope in hand to:

Darrin Maranda
Reg. No. 11814-026
FCI Butner

and on the same day served a copy of the foregoing by placing a copy in the U.S. Mail, addressed as follows:

Office of the Federal Public Defender
150 Fayetteville Street Mall
Suite 450
Raleigh, North Carolina 27601

/s/ Michael Bredenberg
Michael Bredenberg
Special Assistant U.S. Attorney
Civil Division

CERTIFICATION OF A SEXUALLY DANGEROUS PERSON

(1) I, Anthony A. Jimenez, am Chairperson of the Federal Bureau of Prisons (Bureau) Certification Review Panel, Washington, D.C. Pursuant to 28 C.F.R. § 0.97, the Director of the Bureau has delegated to me the authority to certify persons in Bureau custody as sexually dangerous, as authorized by 18 U.S.C. § 4248(a).

(2) Bureau records reflect the following: Inmate Darrin Maranda, Register Number 11814-026, is in Bureau custody at the Federal Correctional Institution, Butner, North Carolina, in service of a 30-month term of imprisonment and a two-year term of supervised release, and a concurrent 20-month term of imprisonment and a one-year term of supervised release, following the revocation of his supervised release. Inmate Maranda's original sentence was a 40-month term of imprisonment and a five-year term of supervised release, following his conviction for Receiving Child Pornography Via the Internet, in violation of 18 U.S.C. § 2252(a)(2), and a concurrent 40-month term of imprisonment and a three-year term of supervised release, following his conviction for Possession of Child Pornography Via the Internet, in violation of 18 U.S.C. § 2252A(a)(5)(B) (C.D. Ill.) (Case No. 99-40087-002). He violated supervised release by fondling a minor under the age of 13 in the vaginal area through her clothing, which resulted in his conviction for

Aggravated Domestic Battery, in the Circuit Court of the Fourteenth Judicial Circuit, Mercer County, Illinois (Case No. 2005 CF 13). He also violated supervised release by possessing sexually arousing material and using alcohol. His projected release date is March 16, 2008.

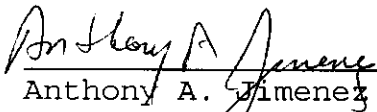
(3) Based on a review of his Bureau records, I certify he is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5), and sexually dangerous to others as defined by 18 U.S.C. § 4247(a)(6). My certification is based on information found in Bureau records which includes, but is not limited to, the following:

(a) He previously engaged or attempted to engage in sexually violent conduct or child molestation as evidenced by his current offense conduct. Additionally, he was previously convicted of Criminal Sexual Assault, in the Circuit Court of the Fourteenth Judicial Circuit, Rock Island County, Illinois (Case No. 94 CF 646), for placing his penis in the mouth of a six-year-old child;

(b) A limited psychological review indicated the following: Axis I diagnoses of Pedophilia, Nonexclusive Type, Sexually Attracted to Both; Exhibitionism (Provisional); Mood Disorder Due to Traumatic Brain Injury with Depressive Features (Provisional); Axis II diagnosis of Antisocial Personality Disorder;

(c) An initial assessment of him using two actuarial risk assessment instruments (Static-99 and Rapid Risk Assessment for Sexual Offense Recidivism (RRASOR)) was conducted. These results, in addition to his current and prior offense conduct, a history of revocation or failure to meet the stipulations of conditional release, failure in sex offender treatment, poor general self-regulation and lifestyle instability, and negative associates or peer influences, indicate he will have serious difficulty refraining from sexually violent conduct or child molestation if released.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.



Anthony A. Jimenez
Chairperson
Certification Review Panel
Federal Bureau of Prisons

01/02/2008

Date

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. _____

UNITED STATES OF AMERICA,)	
)	
Petitioner,)	
)	
v.)	ORDER
)	
DARRIN MARANDA,)	
Register Number 11814-026,)	
)	
Respondent.)	

At the request of the Director of the Bureau of Prisons, the government has filed a Certification of a Sexually Dangerous Person pursuant to 18 U.S.C. § 4248, in order for this court to hold a hearing to determine whether the Respondent is a sexually dangerous person as defined by 18 U.S.C. § 4247(a)(5).

Respondent, having demonstrated eligibility for appointment of counsel at government expense, the Federal Public Defender IS DIRECTED to provide representation in this action.

The Court further determines that the Respondent is unable to pay the fees of any witness, and pursuant to Federal Rule of Criminal Procedure 17(b) the Clerk shall issue a subpoena for any witness necessary to present an adequate defense to the pending charge or charges.

The Court further ORDERS that the United States Marshal shall serve any subpoenas presented to him in this case by the office of the Federal Public Defender, and shall pay the appropriate fees and expenses to witnesses so subpoenaed.

Pursuant to 18 U.S.C. section 4247(b), the Court ORDERS the government to conduct a psychiatric or psychological examination of Respondent. Pursuant to this section, if the Respondent wishes to request an additional examiner, he shall request such by separate motion to this court.

The Court hereby notifies the parties that this case has been set for Hearing by videoconference at _____ AM/PM on _____. The hearing shall be held in Courtroom #2, Seventh Floor, of the Terry Sanford Federal Building, 310 New Bern Avenue, Raleigh, North Carolina.

This ____ day of _____, 2008.

W. EARL BRITT
Senior U.S. District Judge